

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
7:15-CV-121-BO

SOFIA ALVEREZ and GINA DEAL,

Plaintiffs,

v.

PNC BANK, NATIONAL ASSOCIATION,
d/b/a PNC MORTGAGE; FEDERAL
NATIONAL MORTGAGE ASSOCIATION;
and TRUSTEE SERVICES OF CAROLINA,
LLC, in its Capacity as Substitute Trustee,

Defendants.

ORDER

Before the court are the motions by defendants PNC Bank, N.A. and Federal National Mortgage Association (D.E. 13) and defendant Trustee Services of Carolina, LLC (D.E. 19) (collectively “defendants”) to stay discovery pending resolution of their motions to dismiss (D.E. 25 and 27,¹ respectively) for failure to state a claim upon which relief can be granted. Defendants contend that resolution of the dismissal motions may obviate discovery and that deferral of discovery until after such resolution would preserve the court’s and the parties’ time and other resources. Plaintiffs Sophia Alvarez and Gina Deal have not filed a response to the motions and the time for doing so has expired.

The court finds that defendants have shown good cause for the stay requested. The motion to stay is therefore ALLOWED, and all discovery in this case, including the convening of a Fed. R. Civ. P. Rule 26(f) conference and filing of a discovery plan, is STAYED pending entry

¹ Defendants’ motions are directed to plaintiffs’ amended complaint (D.E. 21). Defendants had previously filed dismissal motions (D.E. 11, 17) in response to plaintiffs’ original complaint (D.E. 1-1).

of the order disposing of the motions to dismiss. The parties shall file a discovery plan within 14 days after such entry if at the time one or more claims remain.

SO ORDERED, this 31st day of August 2015.



James E. Gates
United States Magistrate Judge